



## MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

### WELCOME!

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire city staff, does it.

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### REGULAR COUNCIL MEETINGS

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The Mayor and Council usually meet  
at 2:00 p.m. on the first and third Mondays of the month, and  
at 7:30 p.m. on the second and fourth Mondays of the month.

Copies of the agenda are available during the meeting. Additionally, the agenda as well as reference documents and proposed ordinances and resolutions are available in the City Clerk's office prior to each meeting.

To better serve everyone in the community, the chambers is wheelchair accessible, an assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office by parties at least two (2) working days in advance of the scheduled meeting and can be made by calling 791-4213 or 791-2639 (TDD).

Ordinances and resolutions, the laws of Tucson, are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council, take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

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### PARTICIPATION BY THE PUBLIC

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Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk. Please turn off or put in vibrate mode all communication devices (pagers/cell phones).

The Mayor and Council often schedule public hearings on topics of interest. Pursuant to Mayor and Council Rules and Regulations, public hearings last one hour. Interested persons are invited to attend and offer comments. Additionally, Call to the Audience is reserved for comments from the public.

To address the Mayor and Council:

- Complete a speakers card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding into your subject matter. Speakers are limited to five-minute presentations.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700.

**Robert E. Walkup**  
Mayor

**Fred Ronstadt**  
Vice Mayor

**Council Members**

**José J. Ibarra**  
Ward 1

**Carol W. West**  
Ward 2

**Kathleen Dunbar**  
Ward 3

**Shirley C. Scott**  
Ward 4

**Steve Leal**  
Ward 5

**Fred Ronstadt**  
Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TTD: 791-2639, FAX: 791-4017 or WEB SITE: <http://www.ci.tucson.az.us/clerks>), 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday thru Friday, 8 a.m. to 5 p.m. [holidays excepted]. Live coverage of meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:

Tuesdays	9:00 p.m.
Wednesdays	9:00 a.m.
Sundays	9:00 a.m.

(VHS) tapes of meetings are available at the Tucson Main Library.



# MAYOR & COUNCIL MEETING NOTICE & AGENDA

## REGULAR AGENDA

MONDAY, JANUARY 12, 2004 – 7:30 P.M.  
TUCSON CONVENTION CENTER, 260 S. CHURCH AVENUE  
GRAHAM/GREENLEE MEETING ROOMS  
TUCSON, ARIZONA

**1. ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Mr. Eli Hyland, Bahá'í Faith

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

**PRESENTATIONS**

- (a) Certificates of Appreciation presented to the Sunnyside Varsity Football Team, the Arizona State Champions
- (b) Proclamation – Proclaiming January 19, 2004 to be Martin Luther King Jr. Day

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

- (a) Report from City Manager JAN12-04-17 CITY-WIDE

**4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

- (a) Report from City Manager JAN12-04-18 CITY-WIDE

**5. CALL TO THE AUDIENCE:**

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on tonight's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

**6. CONSENT AGENDA ITEMS A THROUGH G**

**FOR COMPLETE DESCRIPTION OF ITEMS**  
**SEE ATTACHED CONSENT AGENDA**

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

**7. LIQUOR LICENSE APPLICATIONS**

(a) Report from City Manager JAN12-04-21 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

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| (1) | INTERMEZZO<br>5350 E. Broadway Blvd. #128/130<br>Applicant: Daniel D. Scordato<br>City #107-03, located in Ward 6<br>Series 12<br>Action must be taken by: January 22, 2004        | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
| (2) | CHAD'S STEAK HOUSE AND SALOON<br>3001 N. Swan Road<br>Applicant: Robert S. Herrington<br>City #109-03, located in Ward 2<br>Series 12<br>Action must be taken by: January 24, 2004 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
| (3) | FOOD STORE<br>1345 N. Stone Avenue<br>Applicant: Subhash K. Thathi<br>City #110-03, located in Ward 3<br>Series 10<br>Action must be taken by: January 31, 2004                    | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |

**PUBLIC OPINION: PROTEST FILED**

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person Transfers

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| (4) | VALENTINO'S<br>4696 S. 12 <sup>th</sup> Avenue<br>Applicant: Blanca E. Morales<br>City #106-03, located in Ward 1<br>Series #6<br>Action must be taken by: January 22, 2004 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
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**(CONTINUED FROM MAYOR AND COUNCIL MEETING OF JANUARY 5, 2004)**

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| (5) | HOWL AT THE MOON<br>915 W. Prince Road<br>Applicant: Libby C. Stone<br>City #108-03, located in Ward 3<br>Series #6<br>Action must be taken by: January 24, 2004 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
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**PUBLIC OPINION: PROTEST FILED**

NOTE: For a person to person transfer, Mayor and Council may consider both the applicant's capability, qualifications and reliability.

**8. ZONING: PROPOSED AMENDMENT TO THE *RINCON SOUTHEAST SUBREGIONAL PLAN* TO ALLOW RESIDENTIAL USE ON VACANT LAND  
(CONTINUED FROM MEETING OF AUGUST 4, 2003)**

- (a) Report from City Manager JAN12-04-29 W5

The applicant has requested that this item be continued indefinitely.

**9. ANNEXATION: PRE-ANNEXATION AGREEMENT FOR THE VILLAGE AT ORILLA DEL RIO**

- (a) Report from City Manager JAN12-04-28 W3

Material for this item will be available on the City Website and in the City Clerk's office as soon as it becomes available.

**10. PUBLIC HEARING: *WEST UNIVERSITY NEIGHBORHOOD PLAN* AMENDMENT, PARK AVENUE AND FIRST STREET**

- (a) Report from City Manager JAN12-04-26 W6
- (b) Hearing on a request by Thomas Saylor-Brown of Saylor-Brown Bolduc Architects (SBBA) on behalf of Bank One, the property owner, to amend the *West University Neighborhood Plan (WUNP)* to allow a high-intensity mixed-use development on a 1.6-acre site at the southwest corner of Park Avenue and First Street, across from the University of Arizona (UA).
- (c) Resolution No. 19760 relating to planning and zoning; amending the West University Neighborhood Plan to allow a high-intensity mixed-use development on a 1.6-acre site at the southwest corner of Park Avenue and First Street; and declaring an emergency.

The City Manager recommends adoption of the resolution.

**11. PUBLIC HEARING: INCREASE IN SANTA RITA BEL AIR ISOLATED WATER SYSTEM FEE**

- (a) Report from City Manager JAN12-04-27 OUTSIDE CITY
- (b) Hearing
- (c) Adoption of the proposed fee increase is scheduled for January 26, 2004. If adopted, the fee increase will become effective April 26, 2004.

**12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- (a) Report from City Manager JAN12-04-19 CITY-WIDE

**13. CALL TO THE AUDIENCE**

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

**14. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, January 26, 2004, at 7:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.